

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: January 3, 2011

SUBJECT: Rezoning Application #R-2011-04

PRESENTER: Parker Sloan, Planner

ATTACHMENTS: 1. Staff Report
2. Photos of Project Area

SUMMARY OF REQUEST:

Rezoning Application #R-2011-04, which was submitted on December 5, 2011, requests the County rezone a 38.6 acre tract. The applicant requests a rezoning from a Residential One (R1) zoning district to an Industrial (I) zoning district. The subject area is owned by Sirocco Properties LLC.

Planning Staff requests the Technical Review Committee take action to recommend that the Board of Commissioners approve, approve with modifications, table, or deny rezoning application #R-2011-04.

Suggested Motion:

I move that the TRC recommend approval of rezoning application #R-2011-04 to rezone the subject area to an Industrial (I) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan.

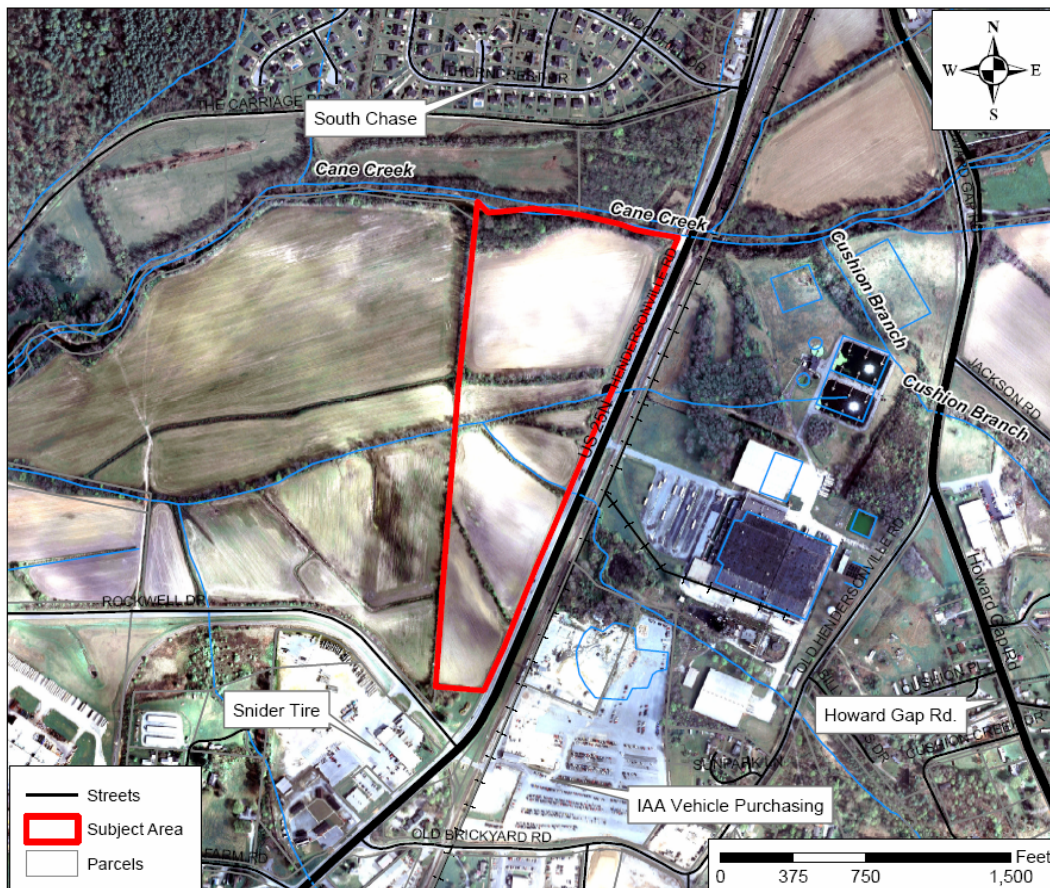
Henderson County Planning Department Staff Report

Rezoning Application #R-2011-04 Sirocco Properties LLC, Owner

1. Rezoning Request

- 1.1. **Applicant:** Sirocco Properties LLC, Owner
- 1.2. **Request:** Rezone a parcel from Residential One (R1) to Industrial (I)
- 1.3. **PIN:** 9652-55-3637
- 1.4. **Size:** Total of 38.6 acres to be rezoned.
- 1.5. **Location:** The subject area is located along US highway 25 North (Hendersonville Road), approximately 1,000 feet from the intersection of Old Brickyard Road (SR 1537) and US highway 25 North (Hendersonville Road).

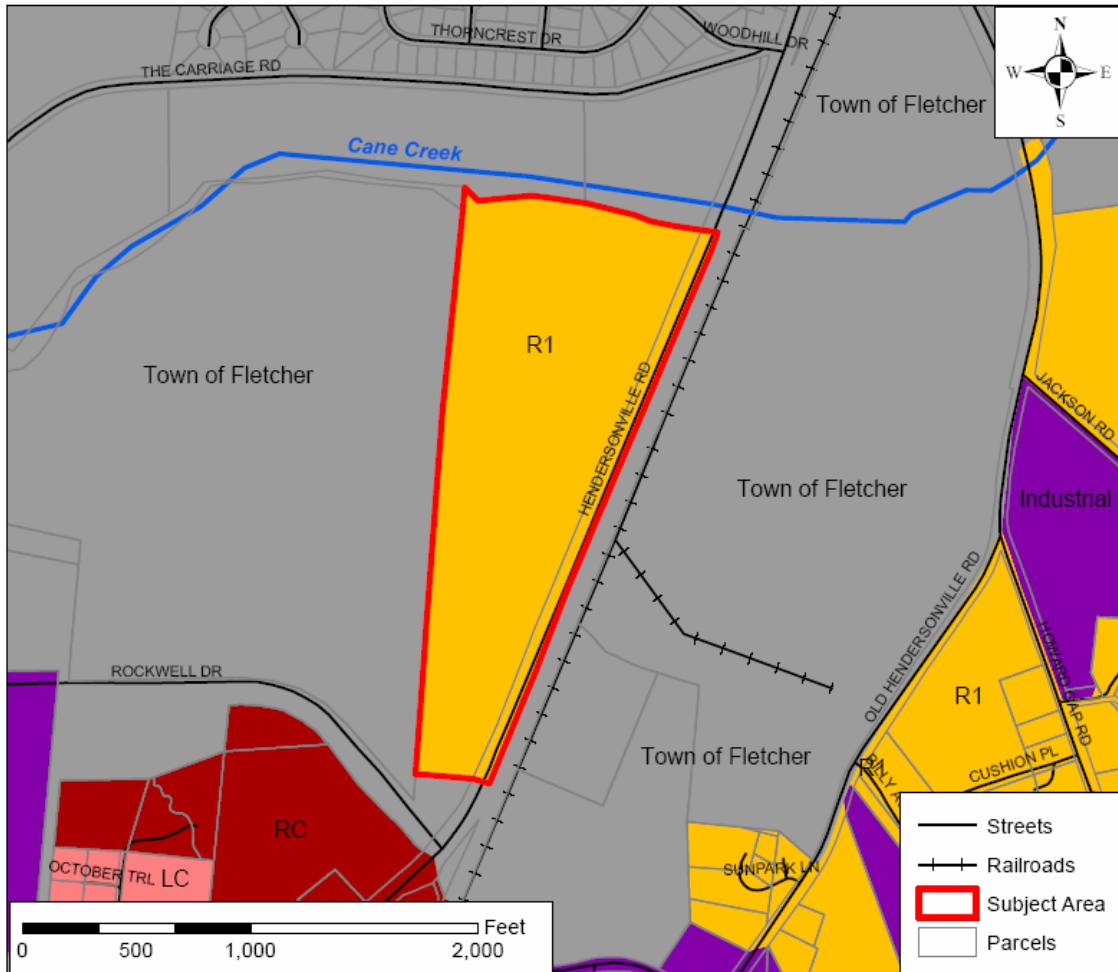
Map A: Aerial Photo



2. Current Zoning

2.1. **Application of Current Zoning:** The subject area was zoned Industrial on September 19, 2007 with the adoption of the Land Development Code.

Map B: Current Zoning



2.2. **Adjacent Zoning:** The subject area is adjacent to by Town of Fletcher R1, low density residential zoning, to the north and west. Land across the street, to the east of the subject area, is zoned Town of Fletcher M-1, manufacturing.

2.3. District Comparison:

2.3.1. **Town Of Fletcher M-1:** *“This district is primarily for general industrial land uses and a broader variety of operations, including manufacturing, processing, and assembling of parts and products and distribution of products at wholesale or retail. The standards established for general industrial areas are designed to promote sound, permanent industrial development.”* (Town of Fletcher Land Development Code)

The Town of Fletcher M-1 district requires a 10 foot front and rear setback and a 15 foot side setback from residential uses. Maximum building height is three (3) stories.

2.3.2. **Town of Fletcher R-1:** *“The Residential Districts are intended for primarily residential purposes. Particularly for the lower-density R-1 and R-2 Districts, these regulations are intended to protect existing single-family neighborhoods in Fletcher from incompatible land uses.”* (Town of Fletcher Land Development Code)

The Town of Fletcher R-1 requires a 20ft front setback, 15ft rear setback, 10ft side setback, and an allowable density of 2 residential units per acre.

2.3.3. **R1 Residential District One:** *“The purpose of Residential District One (R1) is to foster orderly growth where the principle use of land is residential. The intent of this district is to allow for medium to high density residential development consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized in areas designated as Urban in the Comprehensive Plan”* (Chapter 200A, Land Development Code §200A-27).

R1 requires 10 foot side and rear setbacks, maximum height 40 feet, and a standard density of four (4) units per acre (maximum density of 16 units per acre).

2.3.4. **I (Industrial District):** *“The purpose of the Industrial District (I) is to foster orderly growth where the principal use of land is a mixture of industrial and heavy commercial. The intent of this district is to allow for industrial and heavy commercial development consistent with the recommendations of the Comprehensive Plan. In accordance with the Comprehensive Plan, the district will allow for and provide industrial and heavy commercial development that: (1) is compatible with adjacent development and the surrounding community; (2) will minimize conflict between lands uses; and (3) is sensitive to its impact on surrounding land uses and the environment (natural and man-made)”* (Chapter 200A, Land Development Code §200A-36). The Industrial District requires 20 foot side and rear setbacks, a maximum building height of 72 feet for principal structures, maximum impervious surface of 80%, and an unlimited maximum floor area.

3. **Current Uses of Subject Area and Adjacent Properties**

3.1. **Subject Area Uses:** The subject area parcel is currently vacant.

3.2. **Adjacent Area Uses:** The surrounding properties to the north and west are primarily vacant. A concrete company is located directly across the street of the subject area along US Highway 25. South of the project area across Rockwell Drive is Snider Tire company.

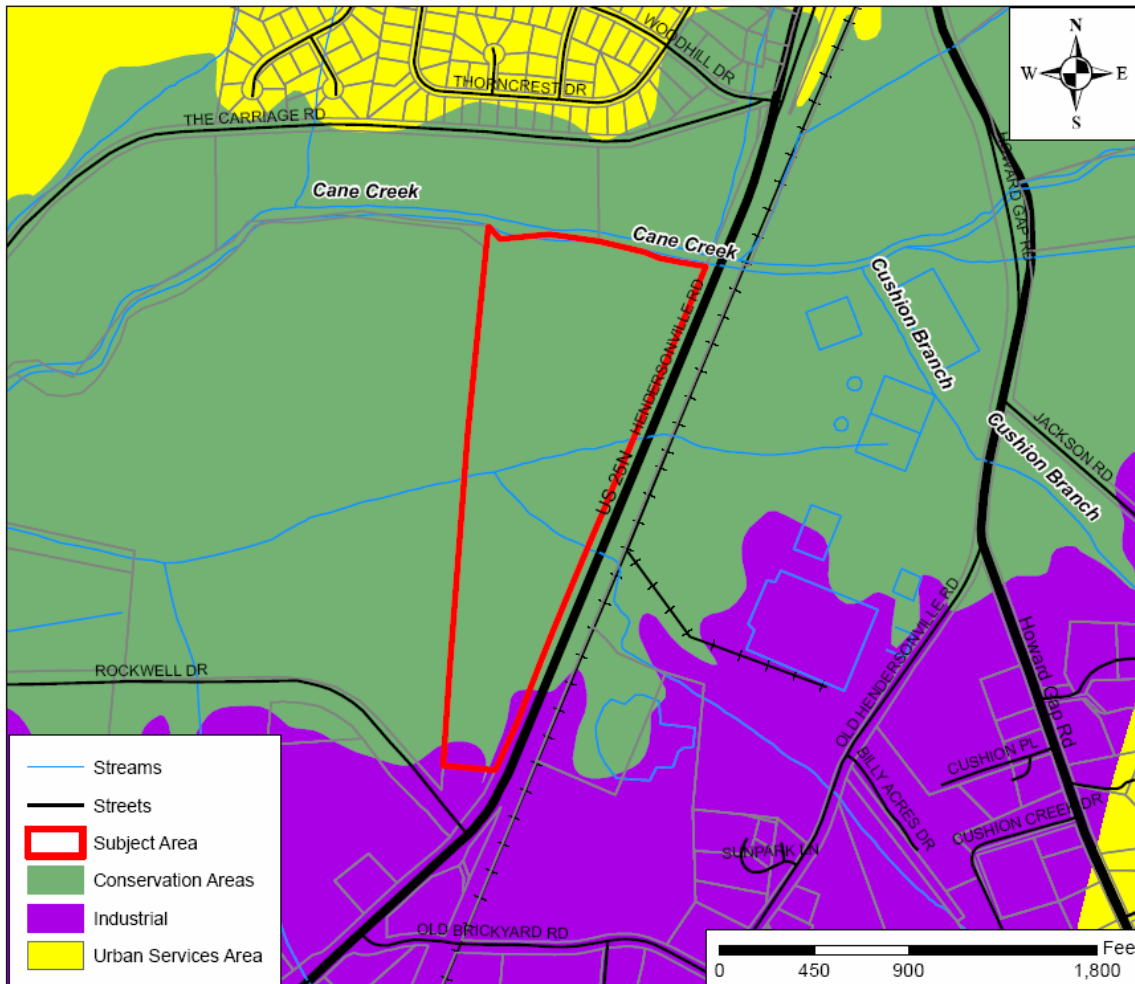
4. The Henderson County 2020 Comprehensive Plan (CCP)

The CCP Future Land Use Map identifies the subject area as being located in the Urban Services Area, Industrial Area, and Conservation Area (USA)(2020 CCP, Pgs. 128, 129 & Appendix 1, Map 24) (See Map C). The conservation area is applied to the subject area because of the flood plain and flood way associated with Cane Creek.

4.1. **Urban Services Area:** The CCP states that, “the USA will contain considerable commercial development at a mixture of scales,” and further, “all regional commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community” (2020 CCP, Pg. 129).

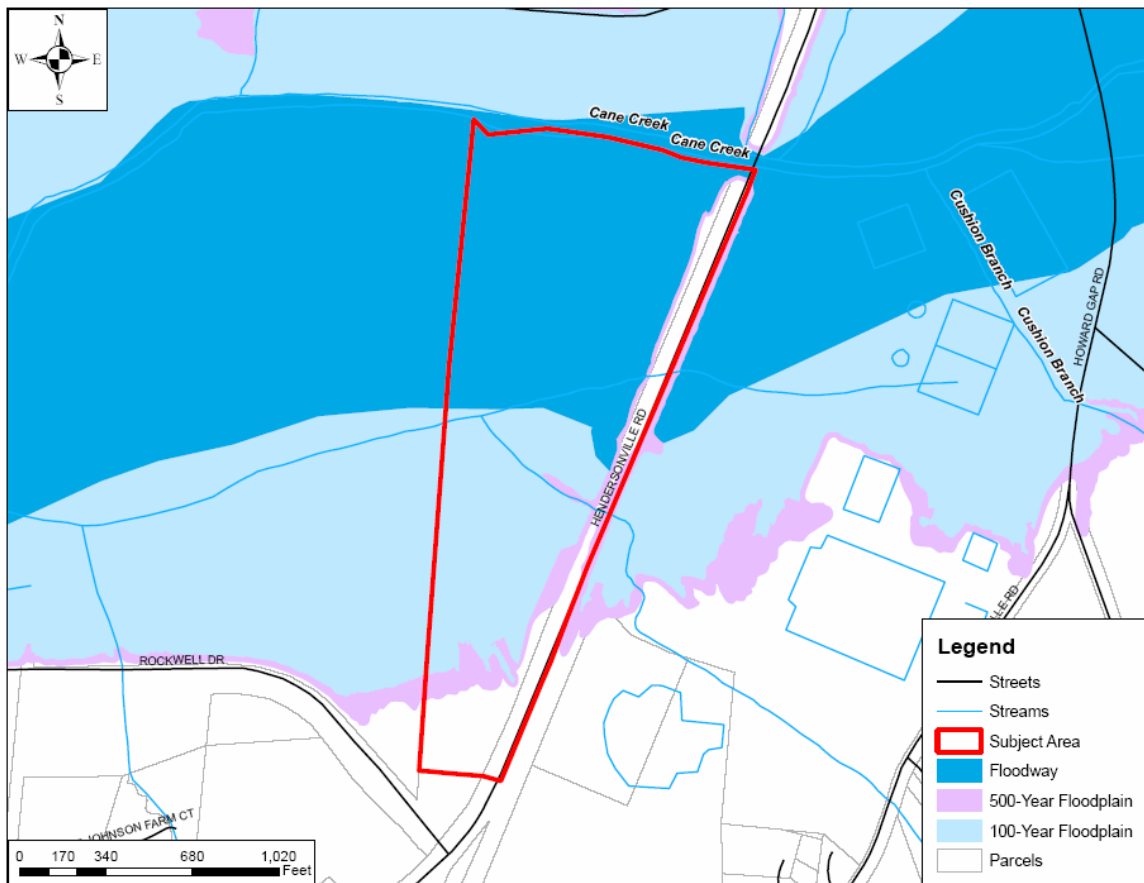
4.2. **Industrial Area:** The CCP states that, “most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses” (2020 CCP, Pg. 136).

Map C: 2020 County Comprehensive Plan Future Land Use Map



5. **Floodplain** The majority of the property is within the 1% special flood hazard area (100 year floodplain). A significant portion of the property is also within the floodway. The floodway overlaps the property at approximately 1000ft south from the bank of Cane Creek. About 22.2 acres of the subject area is within the floodway and about 33.7 acres is within the 1% special flood hazard area. (see map D).

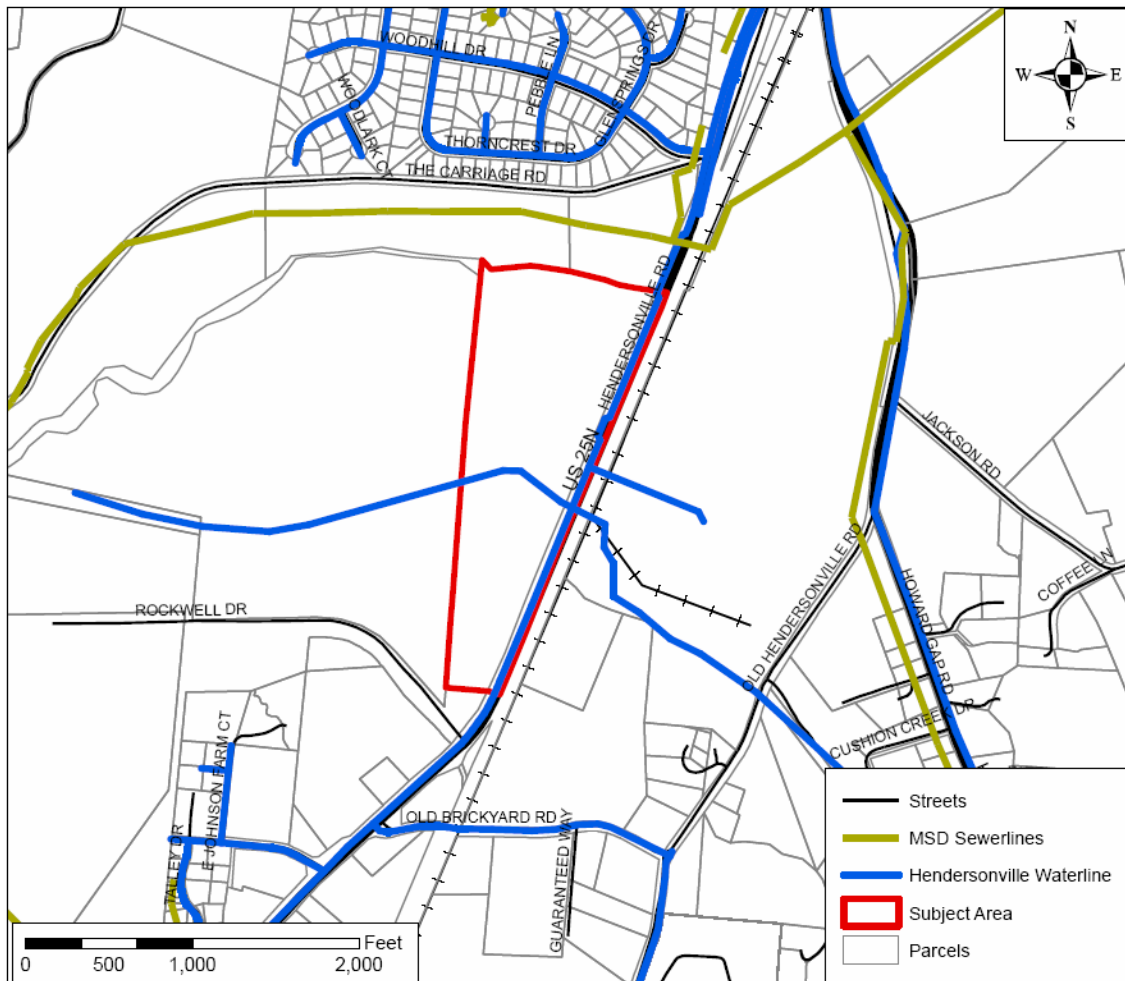
Map D: Floodplain Map



6. Water and Sewer

- 6.1. **Public Water:** A City of Hendersonville water line abuts the property along US Highway 25 North. (See Map E).
- 6.2. **Public Sewer:** Public sewer provided by the Buncombe County Metropolitan Sewerage District is currently located just to the north of the Subject Area. The nearest sewer line crosses US Highway 25 North approximately 300 feet north of the Subject Area. (See Map E).

Map E: Water and Sewer Map



7. Staff Comments

- 7.1. **The 2020 CCP:** The CCP Future Land Use Map (See Map C) places the Subject Area in the “Urban Services Area” classification. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for high-density residential, commercial or industrial development. The CCP indicates that the USA may be suitable for commercial development provided the development is in keeping with the surrounding community. The CCP also indicates that Industrial may be suitable for the area as the Subject Area falls within the specially designated industrial area in the USA.
- 7.2. **Adjacent Zoning:** The Subject Area is adjacent to Town of Fletcher M-1 and Mixed Use zoning across US Highway 25N.
- 7.3. **Comparison of Districts:** The existing R1 allows for residential uses. Applying Industrial zoning will eliminate the ability of residential uses to be constructed.
- 7.4. It is generally incumbent upon the Applicant to demonstrate an overriding justification for approving a given rezoning application. Staff encourages the Applicant to present any information that would inform the County’s

consideration of the proposed rezoning. Staff requests the Applicant not discuss any specific use being considered for the property. The Technical Review Committee, Planning Board, and the Board of Commissioners cannot consider any specific proposed use for the property and must only consider the range of possible uses when reviewing and making recommendations on the rezoning request.

- 7.5. **Signage & Outdoor Advertising:** With the application of Industrial zoning all types of freestanding signs, including outdoor advertising signs, would be permitted within the subject area. Outdoor advertising signs shall be spaced so that such outdoor advertising sign is placed no closer to the next outdoor advertising sign or any existing adjacent residence than the minimum spacing distance required in the Land Development Code §200A-224 Table 7.1. It appears that the proposed rezoning would allow at least one (1) additional outdoor advertising sign (area billboard).

8. Staff Recommendations

- 8.1. Staff's position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the Subject Area to Industrial consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

9. Technical Review Committee Recommendations

- 9.1. TBD

10. Planning Board Recommendations

- 10.1.TBD



View of Subject Area from the north east corner looking south.



View of subject area from US Highway 25 N. looking west.



View of Subject Area looking north from the south east corner.



View of Subject Area looking north along US highway 25 N.